

**OPINION
60-259**

February 18, 1960 (OPINION)

STATE HISTORICAL SOCIETY AND STATE PARKS

RE: Committees - Authority to Acquire Property

This is in reply to your letter in regard to the leasing of two tracts of land which have been developed for recreation on the Garrison Reservoir.

You inform us that the State Parks Committee has made application to the Corps of Engineers for the lease of said two tracts of land. The lease contemplates a term of twenty-five years or more. The lease would be given to the state without cost.

The State Historical Society generally and the State Parks Committee are given relatively broad authority in regard to the acquisition and operation of properties for the establishment and maintenance of state parks. (See: Chapters 55-02 and 55-04 of the N.D.R.C. of 1943 as amended to date.) We note, also, as you point out, the appropriation made by chapter 51 of the 1959 Session Laws of the amount of ten thousand dollars for the expressed purpose of "Garrison reservoir parks."

In view of such general authority and in view of the express item of appropriation, it is our opinion that there is no legal objection to the proposed agreement and that the State Parks Committee and State Historical Society are authorized by law to enter into the contemplated agreement.

LESLIE R. BURGUM
Attorney General